

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2451-02
Bill No.: Truly Agreed To and Finally Passed SCS for HB 1537
Subject: Credit and Bankruptcy; Estates, Wills, and Trusts
Type: Original
Date: May 20, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Revenue, Department of Economic Development – Division of Professional Registration**, and the **– Division of Finance** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Secretary of State (SOS)** assume the Department of Economic Development would promulgate rules to implement the provisions of this act. These rules will be published in the *Missouri Register* and the *Code of State Regulations*. Based on experience with other divisions, the rules, regulations, and forms issued by the Committee could require as many as 12 pages in the *Code of State Regulations* and half again as many pages in the *Missouri Register*, as cost statements, fiscal notes, and the like are not repeated in the Code. The estimated cost of a page in the *Missouri Register* is \$23 and the estimated cost of a page in the *Code of State Regulations* is \$27. Based on these costs, the estimated cost of the proposal is \$738 in FY 03 and unknown in subsequent years. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which would require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

The proposal could have a fiscal impact on small businesses.

DESCRIPTION

The proposed legislation would allow debt to be offset against the value of an estate to determine whether the small estate administration statutes would apply.

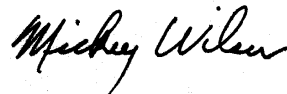
The proposal would also provide that the principal endowed care fund could be appropriately invested by an independent investment advisor. An endowed care trust agreement could provide that investment decisions could be made by a federally registered or Missouri registered independent investment advisor when the principal in the trust exceeds \$250,000. This would relieve the trustee of all liability regarding investment decisions made by the investment advisor.

The proposal further details circumstances that would not qualify as a person engaging in the trust business.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would not affect Total State Revenue.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Revenue
Office of Secretary of State
Department of Economic Development
– Division of Professional Registration
– Division of Finance



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Acting Director
May 20, 2002

L.R. No. 2451-02
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Page 4 of 4
May 20, 2002

BLG:LR:OD (12/01)